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Federal Communications Commission

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**Amendment of
Section 90.621(c) and (d) of the
Commission's Rules and Regulations)
Concerning Separations Between
800 and 900 MHz Land Mobile
Radio Systems in the Business
and General Category Radio
Service Pools**

RM-8028

**STATEMENT IN SUPPORT
OF THE**

SPECIAL INDUSTRIAL RADIO SERVICE ASSOCIATION, INC.

The Special Industrial Radio Service Association, Inc. (SIRSA), pursuant to Section 1.405(a) of the Rules and Regulations of the Federal Communications Commission (Commission), hereby respectfully submits this Statement in Support of the Petition for Rule Making filed by the National Association of Business and Educational Radio, Inc. (NABER) on March 6, 1992.^{1/}

I. PRELIMINARY STATEMENT

1. The Special Industrial Radio Service Association, Inc., a non-profit association organized under the laws of the District of Columbia, is the Commission's certified frequency coordinator for the Special Industrial Radio Service

1/ Public Notice, Report No. 23944, Petitions for Rule Making Filed, released July 13, 1992.

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and the Industrial/Land Transportation 800/900 MHz frequency "pools." SIRSA also coordinates channels from the general access pool for those entities (a) eligible to become Industrial/Land Transportation licensees, (b) wishing to expand trunked systems, or (c) consolidating conventional systems into a trunked system. SIRSA coordinates in excess of 6,000 applications per year on behalf of applicants seeking Commission authority to operate radio stations on frequency assignments allocated to the Special Industrial Radio Service and the enumerated 800/900 MHz frequency "pools."

2. SIRSA enjoys the support of a membership that includes more than 9,000 licensed two-way land mobile radio communications users and the following trade associations:

- Alliance of Motion Picture and Television Producers
- American Mining Congress
- Associated Builders & Contractors, Inc.
- Florida Citrus Processors Association
- Florida Fruit & Vegetable Association
- National Aggregates Association
- National Agricultural Aviation Association
- National Food Processors Association
- National Propane Gas Association
- National Ready-Mixed Concrete Association
- National Utility Contractors Association
- New England Fuel Institute
- United States Telephone Association

Accordingly, when viewed in the light of the Special Industrial eligibility criteria found in Section 90.73(a) of the Commission's Rules and Regulations, SIRSA's membership is broadly representative of licensees authorized to operate facilities in the Special Industrial Radio Service.

II. NABER'S PROPOSAL

3. NABER's Petition seeks amendment of the rules to provide for a more stringent contour separation standard between co-channel Private Land Mobile Radio Service stations employing assignments from the Business and General Category frequency pools by changing the current 40/30 dBu standard to a 40/22 dBu standard. NABER's proposal is similar to the one it recommended in the Commission's proceeding that concerned amendment of Section 90.621(b) of the rules and strengthening of the interference criteria for SMR channels.^{2/} However, NABER argued in this petition against the adoption of a 40/22 dBu table similar to the one established for the SMR pool channels. This proposal does not include the Industrial/Land Transportation or Public Safety Service pool channels. NABER leaves to the Commission's discretion whether to include these frequency pools in any rule making initiative.

4. SIRSA supports NABER's recommendation to implement a 40/22 dBu contour standard for the coordination of Business and General Category pool channels. We urge the Commission to adopt this stricter standard for the 800/900 MHz Industrial/Land Transportation pool channels as well. However, we further suggest that, should the Commission initiate a rule making proceeding incorporating NABER's and SIRSA's proposals, it address the larger issue involved in the

^{2/} See Report and Order, (FCC 91-229), Amendment of Part 90 of the Commission's Rules to Permit the Short-Spacing of Specialized Mobile Radio Systems Upon Concurrence from Co-Channel Licensees, 6 FCC Rcd. 4929 (1991).

recommendation and selection of frequencies -- the proper engineering analysis to be employed in calculating the contours of the proposed station.

III. STATEMENT IN SUPPORT

5. The 40/22 dBu standard proposed by NABER is more conservative than the current 40/30 dBu contour analysis required to be performed under Section 90.621(c) and (d) of the Commission's rules. Implementation of this standard by the Commission will give existing licensees more protection against co-channel interference. On the other hand, it will make it more difficult to engineer new systems in congested areas. Nevertheless, SIRSA agrees with NABER that the 40/22 dBu contour standard should be employed in the frequency coordination process in recommending channels to be assigned from the Business and General Category pools as well as the Industrial/Land Transportation pool.^{3/}

6. Employment of the 40/22 dBu contour in coordination of only channels to be assigned from the Business and General Category service pools will be cumbersome and administratively burdensome. Many Industrial/Land Transportation service eligibles access both the Business and General Category service pool channels to expand existing trunked systems. Use of one interference criteria for a portion of the assigned channels, and another criteria to recommend additional channels may

^{3/} SIRSA recommended that the stricter standard be required in coordination of systems authorized in the Industrial/Land Transportation, Public Safety, Business and General Category service pools in its Reply Comments filed in the Commission's rule making proceeding concerning short-spacing of Specialized Mobile Radio (SMR) systems, PR Docket No. 90-34. However, the Commission declined to act on this suggestion as it deemed the proposal outside the scope of the proceeding. *Id.* n.23.

result in undue confusion and administrative difficulties in the Commission's processing of these applications. Accordingly, should the Commission initiate a rule making procedure to amend Section 90.621(c) and (d), the proposal should include all non-SMR pool channels, not just the Business and General Category pools.

7. Further, we concur with NABER that the Commission should not attempt to structure a table, as it did in the SMR short-spacing proceeding, and should continue to permit the frequency coordinator to provide a 40/20 dBu analysis based on the actual operating parameters of the existing and proposed systems. More importantly, however, the Commission must address the issue of the engineering method to be used in generating the contour analysis.

8. Typically, the FCC certified 800/900 MHz frequency advisory committees determine the 40 dBu service contour of an existing station and 30 dBu interference contour of a proposed station based on the R-6602 curves defined in Section 73.333 of the Commission's Rules and Regulations. While these R-6602 curves are applicable to broadcast signals, they are not necessarily accurate for land mobile transmissions. This methodology does not accurately reflect the potential for destructive interference between co-channel private land mobile radio systems in all situations.

9. SIRSA has found the R-6602 curves to be unreliable in areas where there are significant terrain deviations that affect radio frequency propagation from a proposed or existing site, such as in the State of California. Further, the R-6602 propagation method terrain consideration is limited to a 50-meter terrain

roughness assumption derived from composite data collected from areas throughout the country.^{4/}

10. A majority of licensees in the 800/900 MHz Industrial/Land Transportation services are implementing extensive, wide-area trunked or conventional systems. The infrastructures necessary to construct and operate these systems require a significant investment by these companies. Utilizing a propagation method that is not reliable in many areas of the country, such as the R-6602 curves, to conduct the contour analysis could jeopardize the operations of these systems and the company's underlying investment. SIRSA, therefore, in many areas of the country, such as California, recommends frequency assignments based on terrain-based propagation methods provided by the applicant that will protect existing systems and proposed systems from harmful interference.

11. SIRSA suggests, therefore, that whether the separation standard is based on a 40/30 dBu contour analysis or a 40/22 dBu contour analysis is not as critical as the propagation method employed by the certified frequency advisory committee in making its frequency recommendation. Accordingly, SIRSA recommends that should the Commission initiate a rule making proceeding in response to NABER's petition, it include a proposal to provide authority to the Commission's certified 800/900 MHz frequency advisory committees to require, in their discretion, that the applicant provide a contour analysis generated by a

^{4/} See 47 C.F.R. § 73.684(k) (1991).

terrain-based propagation method to assist the frequency advisory committee in making the best frequency recommendation(s).

III. CONCLUSION

12. SIRSA encourages the Commission to grant NABER's Petition and to initiate a rule making procedure to amend Section 90.621(c) and (d) to provide a 40/22 dBu contour standard for the coordination of Industrial/Land Transportation, Business, Public Safety, and General Category pools channels. Further, in its Notice of Proposed Rule Making, the Commission should request comment on the proper engineering method(s) that may be employed in calculating these contours and allowing the certified frequency advisory committees the discretion to require submission of contour studies derived from the terrain-based propagation method.

WHEREFORE, THE PREMISES CONSIDERED, the Special Industrial Radio Service Association, Inc. respectfully requests the Federal Communications Commission to grant the Petition for Rule Making filed by the National Association of Business and Educational Radio, Inc. and expeditiously

initiate a rule making proceeding to amend Section 90.621(c) and (d) in a manner consistent with the comments set forth herein.

Respectfully submitted,

**SPECIAL INDUSTRIAL RADIO
SERVICE ASSOCIATION, INC.**

By: 

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Managing Director

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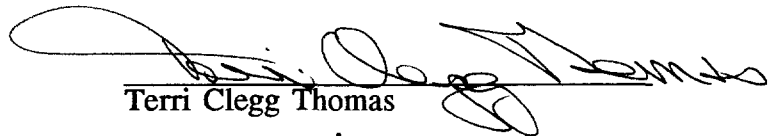
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Dated: August 12, 1992

CERTIFICATE OF SERVICE

I, Terri Clegg Thomas, a secretary at the law firm of Keller and Heckman, do hereby certify that a copy of the foregoing Statement of Support of the Special Industrial Radio Service Association, Inc. was forwarded to the parties listed below this 12th day of August 1992 by United States mail, first class, postage pre-paid:

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